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Santa Rosa Police, Chief Edwin F. Flint, and Santa Rosa
Police Officers Brian Sinigiani, Matthew Sanchez,
Daniel Jones, James Griffin, Robert St. Pierre, and Gary Negri

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KARLA FERNANDEZ, individually and
as Guardian ad Litem for MAURICIO
FERNANDEZ, a minor, as the heirs of
Carlos Casillas-Fernandez, Deceased,

Plaintiffs,

v.

TASER INTERNATIONAL, INC.,
SANTA ROSA POLICE DEPARTMENT,
A POLICE AGENCY; CITY OF SANTA
ROSA, a Chartered City, *et al.*

Defendants.

Case No. C 06-4371 SBA

**STIPULATION AND PROTECTIVE
ORDER REGARDING DISCLOSURE
OF CONFIDENTIAL INFORMATION**

The parties hereby stipulate that the Santa Rosa Police Department personnel records
pertaining to Santa Rosa Police Officers Brian Sinigiani, Matthew Sanchez, Daniel Jones, James
Griffin, Robert St. Pierre and Gary Negri shall be produced to Plaintiffs' attorneys subject to the
following conditions:

1. All such records shall be maintained by plaintiffs' attorneys in strict confidence.
Plaintiffs' counsel shall not disclose the documents, copies of the documents, or the substance
of the documents to anyone, except as necessary, to office staff and any counsel, investigators
or consultants assisting in this litigation.

2. If these records are to be used in further discovery or proceedings, they are to be
designated as "Confidential Material." Such designation shall be made by sealing and stamping

1 the material prior to use in this litigation as follows: "Confidential Material Subject To
2 Protective Order."

3 3. The Confidential Material shall be used solely in connection with this litigation
4 and the preparation and trial of this case, or any related appellate proceeding, and not for any
5 other purpose.

6 4. Nothing in this stipulation is intended to prevent officials or employees of the
7 City of Santa Rosa or other authorized government officials from having access to the
8 documents if they would have had access in the normal course of their job duties. Nothing in
9 this order prevents a person from disclosing events or activities personal to them, i.e., a person
10 can disclose to others information given to the City of Santa Rosa with respect to what he or she
11 saw, heard, or otherwise sensed.

12 5. Each person to whom disclosure is made, with the exception of counsel who are
13 presumed to know of the contents of this protective order, shall, prior to the time of disclosure,
14 be provided by the person furnishing him/her such material a copy of this order, and shall agree
15 on the record or in writing that he/she has read the protective order, and that he/she understands
16 the provisions of the protective order. Such person also must consent to be subject to the
17 jurisdiction of the United States District Court for the Northern District of California with
18 respect to any proceeding relating to enforcement of this order, including without limitation,
19 any proceeding for contempt. Unless made on the record in this litigation, counsel making
20 disclosure to any person described above shall retain the original executed copy of said
21 agreement until final termination of this litigation.

22 6. At the conclusion of the trial and of any appeal or upon other termination of this
23 litigation, all Confidential Material received under the provision of this order (including any
24 copies made) shall be given back to the City of Santa Rosa. Provisions of this order, insofar as
25 they restrict disclosure and use of the material, shall be in effect until further order of this court.

26 7. The foregoing is without prejudice to the right of any party: (a) to apply to the
27 Court for a further protective order relating to any Confidential Material or relating to discovery
28 in this litigation; (b) to apply to the Court for an order removing the Confidential Material

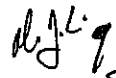
1 designation from any documents; and (c) apply to the Court for an order compelling production
2 of documents or modification of this order or for any order permitting disclosure of Confidential
3 Material beyond the terms of this order.


4 8. Any document filed with the Court that reveals Confidential Material shall be
5 filed under seal, labeled with a cover sheet as follows: *Fernandez v. City of Santa Rosa and*
6 *Santa Rosa Police, Chief Edwin F. Flint, and Santa Rosa Police Officers Brian Sinigiani,*
7 *Matthew Sanchez, Daniel Jones, James Griffin, Robert St. Pierre, and Gary Negri, United*
8 *States District Court Case No. C 06-4371 SBA. "This document is subject to a protective order*
9 *issued by the Court and may not be copied or examined except in compliance with that order."*
10 Documents so labeled shall be kept by the Clerk under seal and shall be made available only to
11 the Court or counsel. Upon failure of the filing party to so file a document under seal, the
12 producing party may request that the Court place the filing under seal.

13 9. Any Confidential Material that is ruled by the Court to be admissible to the jury
14 shall be disclosed under whatever protective measures the Court deems necessary to protect the
15 privacy rights of the individuals described in the report.

16 Dated: 9/16/08


ROBERT E. ORMISTON
Attorney for Plaintiffs

18 
19 Dated: 9/16/08


MATTHEW J. LEBLANC
Assistant City Attorney
Attorney for Defendants
Chief Edwin F. Flint, and Santa Rosa
Police Officers Brian Sinigiani, Matthew
Sanchez, Daniel Jones, James Griffin,
Robert St. Pierre, and Gary Negri

24 **ORDER**

25 Pursuant to the stipulation of the parties, **IT IS SO ORDERED.**

26 Dated: 10/21/08


HONORABLE SAUNDRA B. ARMSTRONG
United States District Judge